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DOC #:
DATE FILED: 10/12/2022

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October 11, 2022

Via ECF

The Honorable Nelson S. Román
United States District Judge
United States Courthouse
300 Quarropas Street
White Plains, NY 10601

Deft's request for a discovery conf. before Judge Román is denied without prejudice to seeking a conf. before Judge McCarthy. Clerk of Court is requested to terminate the motion at ECF No. 37.
Dated: White Plains, NY

Oct. 12, 2022

Re: Profex, Inc. v. Westchester Fire Insurance Company et al
Civil No. 7:22-cv-00015-NSR

SO ORDERED:

HON. NELSON S. ROMAN
UNITED STATES DISTRICT JUDGE

Dear Judge Román:

This is a letter-motion for a pre-motion discovery conference, made pursuant to L.Civ.R. 37.2 and Section 3.A.i of your standing procedures.

Kirlin Builders intends to file a motion regarding Profex's failure to respond to interrogatories and document requests that were served on July 18, 2022.

Prior to filing this letter-motion, I attempted to confer with Profex's counsel as follows. On September 12, I sent an email to counsel asking when we could expect responses to this discovery. On September 16, I sent counsel a follow-up email. On September 28, I called counsel and left a voice message inquiring about the discovery. Earlier today, I called counsel on his cell phone but there was no answer and the voice mailbox was full; I called counsel's office line and left a voice message.

Certificate of Service

I certify that I will file this document with the Court's ECM/ECF system, which will send a notice of electronic filing to all counsel of record.

Respectfully Submitted,

s
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MEMO ENDORSED